



PATENT

Customer No. 22,852

Attorney Docket No. 08049.0010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Oscar L. AVANT et al. ) Group Art Unit: 2876  
Application No.: 09/651,323 )  
Filed: August 31, 2000 ) Examiner: Ahshik KIM  
For: APPARATUS AND METHODS FOR ) Confirmation No.: 3894  
IDENTIFYING A MAILPIECE USING AN )  
IDENTIFICATION CODE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PRELIMINARY AMENDMENT**

In reply to the Office Action mailed April 21, 2004, the period for response having been extended to October 21, 2004 by a request for extension of three months and fee payment filed concurrently herewith, please amend the above-identified application as follows:

**Amendments to the Specification** are included in this paper.

**Amendments to the Claims** are reflected in the listing of claims in this paper.

**Amendments to the Drawings** are included in the attached replacement drawing sheets. The amendments are discussed in the **Remarks** section of this paper.

**Remarks/Arguments** follow the amendment sections of this paper.

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02 FC:1201 352.00 DA

RCE IN W

OCT 18 2004

**REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/651,323

Filing Date: August 31, 2000

First Named Inventor: Oscar Lee AVANT

Group Art Unit: 2876

Examiner: Ahshik KIM

Attorney Docket Number: 08049.0010-00000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114:**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on [Date] \_\_\_\_\_
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on [Date] \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed:
  - i.  Preliminary Amendment
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement
  - iv.  Other Petition for 3-Month Extension of Time \_\_\_\_\_

**2. Miscellaneous**

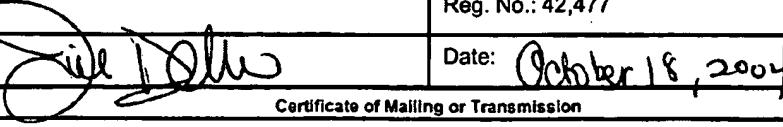
- a.  Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b.  Other \_\_\_\_\_

**3. Fees**

- a.  The filing fee is calculated as follows:
  - i.  \$790.00 RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Petition for extension of time for (3 Months) \$980.00
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$1770.00 enclosed.
- c.  The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

**Signature of Applicant, Attorney, or Agent Required**

Name: Jill E. DeMello	Reg. No.: 42,477
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Signature: 	Date: October 18, 2004
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**PATENT APPLICATION FEE DETERMINATION RECORD**  
**October 1 2004** Substitute for Form PTO-875
Application or Docket Number  
**047651323**

CLAIMS AS FILED - PART I				SMALL ENTITY	OTHER THAN SMALL ENTITY		
		(Column 1)	(Column 2)				
FOR		NUMBER FILED	NUMBER EXTRA	RATE	FEE		
BASIC FEE (37 CFR 1.16(a))					<b>\$ .395</b>		
TOTAL CLAIMS (37 CFR 1.16(c))		minus 20 =	•	x \$ <b>9</b> =			
INDEPENDENT CLAIMS (37 CFR 1.16(b))		minus 3 =	•	x <b>44</b> =			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$ <b>150</b> =			
				TOTAL	•		
* If the difference in column 1 is less than zero, enter "0" in column 2.							
10-18-04 CLAIMS AS AMENDED - PART II							
(Column 1) (Column 2) (Column 3)				SMALL ENTITY	OTHER THAN SMALL ENTITY		
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	• <b>40</b>	Minus	" <b>36</b> =	<b>4</b>	x \$ <b>9</b> =	
	Independent (37 CFR 1.16(b))	• <b>8</b>	Minus	*** <b>4</b> =	<b>4</b>	x <b>44</b> =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ <b>150</b> =			
				TOTAL ADD'L FEE	•	TOTAL ADD'L FEE	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	•	Minus	" =		x \$ <b>9</b> =	
	Independent (37 CFR 1.16(b))	•	Minus	*** =		x <b>44</b> =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ <b>150</b> =			
				TOTAL ADD'L FEE	•	TOTAL ADD'L FEE	
AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	•	Minus	" =		x \$ <b>9</b> =	
	Independent (37 CFR 1.16(b))	•	Minus	*** =		x <b>44</b> =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ <b>150</b> =			
				TOTAL ADD'L FEE	•	TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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